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November 11, 2019

VIA ECF and EMAIL

Hon. Jesse M. Furman
United States District Judge
Thurgood Marshall Courthouse
40 Foley Square
Courtroom 1105
New York, New York 10007

**Re: *Fondren v. JPMorgan Chase Bank, et al.*,
No. 1:17-cv-00563 (S.D.N.Y.)**

Dear Judge Furman:

As Class Counsel for Plaintiffs in the above-referenced litigation, and in accordance with Part 3(A) of Your Honor's Individual Practices in Civil Cases, I write to request leave to file redacted versions of the Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment and Statement of Undisputed Facts in Support of Plaintiffs' Motion for Partial Summary Judgment as well as the following deposition transcripts which have been designated as "Confidential" by Defendants and which will be attached as exhibits to the Declaration of Donna Siegel Moffa in Support of Plaintiffs' Motion for Partial Summary Judgment ("DSM Decl."):

- (1) PX18: April 10, 2019 deposition transcript of Terry Belton;
- (2) PX19: September 21, 2018 deposition transcript of JPMorgan Chase 30(b)(6) designee Bernadette Branosky;
- (3) PX20: February 13, 2019 deposition transcript of Bernadette Branosky;
- (4) PX21: March 8, 2019 deposition transcript of Sally Durdan;
- (5) PX22: March 13, 2019 deposition transcript of Thelma Ferguson;
- (6) PX23: February 6, 2019 deposition transcript of Angela Howard;
- (7) PX24: February 21, 2019 deposition transcript of Walter Kress;
- (8) PX25: February 26, 2019 deposition transcript of Daniel Oldroyd;
- (9) PX26: March 27, 2019 deposition transcript of Roxanne Baranin Todisco;
- (10) PX27: February 8, 2019 deposition transcript of Daniela Nese;
- (11) Portions to the Memorandum of Law that cite to confidential material or testimony; and
- (12) Portions to the Statement of Undisputed Facts In Support of Plaintiffs' Motion for Partial Summary Judgment that cite to confidential material or testimony.

Plaintiffs also request that the following exhibits be filed under seal as these exhibits contain material that Defendants have designated as “Confidential” under the Protection and Exchange of Confidential Information Order [ECF No. 64] entered in this case. These documents will also be exhibits to the DSM Decl.:

- (1) PX34: EPIC Meeting March 22, 2011 Package;
- (2) PX35: EPIC Meeting September 28, 2012 Package;
- (3) PX36: EPIC Meeting March 31, 2015 Package;
- (4) PX37: EPIC Meeting December 2, 2015 Package;
- (5) PX38: EPIC Meeting February 26, 2016 Package;
- (6) PX39: EPIC Meeting May 26, 2016 Package;
- (7) PX40: EPIC Meeting September 22, 2015 Package; and
- (8) PX42: SOP: Annual Fee Analysis – 408(b)(2) JPMorgan Retirement Plan.

Pursuant to part 7.C of Your Honor’s Individual Practices, attached to this letter are copies of the documents Plaintiffs intend to file under seal for your review. Plaintiffs request that Your Honor enter an Order granting the request to file the confidential documents or the portions thereof under seal.

Plaintiffs take no position on the confidential designation status of the attached documents and reserve the right to challenge the confidentiality designations made by Defendants.

Respectfully submitted,

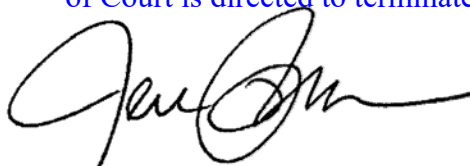
KESSLER TOPAZ
MELTZER & CHECK, LLP

/s/ Joseph H. Meltzer
Joseph H. Meltzer

Attachments (via email)

cc: All counsel of record (via ECF and email)

The motion to seal is granted temporarily. The Court will assess whether to keep the materials at issue sealed or redacted when deciding the underlying motion. The Clerk of Court is directed to terminate ECF No. 176. SO ORDERED.



November 13, 2019